

To the Inhabitants, Payers of the Poor Rates in the City of Exeter,

THE following Observations on a Publication filed *An Historical Refutation*, are submitted.

Prior to the first Application to Parliament, in 1697, for uniting the Poor of the several Parishes under the Direction of one Body corporate, there cannot be a Doubt but that the Inhabitants of this City and County had several Meetings and Consultations, that they weighed with the strictest Attention every Proposition, before they gave a Sanction by their Consent to the Clauses which they wished to have, and were, enacted.

The Chamber and Chapter of Exeter, not as Bodies incorporate but as Individuals, assisted their Fellow Citizens, and included themselves under the Name of *Inhabitants, charitable and honest Citizens*, as in Page the 7th of the 9th and 10th of William III.

The Wisdom of our Ancestors, in order to shut every Avenue to Dispute and Dissention about Alms-houses, Hospitals, Charitable Gifts or Uses, within the said City and County, vested in the Chamber, Chapter, Feoffees of Parishes, Trading Companies, or other Trustees, did introduce that most excellent general restraining Clause in Page 28.

I beg Leave to recite that Clause, and you will then join Issue with me, on a cool and impartial reading, that we have this Day Reason to venerate their Memories, who have by that Clause precluded your being captivated by the delusive Colourings of Opposition, who tell you, *they are impelled to it, by a Sense of Duty to you, themselves, their Posterity and the Poor.*

“ Provided always, and be it enacted by the Authority aforesaid, That this Act or any Thing herein contained, shall not any ways extend to give the said Corporation any Power and Authority over any Alms-house or Hospital, or any other charitable Gift or Use within the said City and County and Liberties, Bounds and Precincts thereof, already given, settled or erected, but that the same shall be wholly exempted therefrom; any thing herein contained to the contrary notwithstanding.”

Omitting the Preface of the Historical Refutation, I have entered on the second Column, beginning “ First then, this Constitution, dignified with the Title of “ excellent,” is defective in restraining the Corporation of the Poor from any Enquiry into the Expenditure of Monies entrusted to the Chamber of Exon, for Support of the Poor thereof.”—The latter Part of this first Paragraph says, “ *The Chamber having applied from Time to Time for Monies from the Rates, for maintaining the Poor in their Alms-houses.*”

Did the Author consider that so open and direct an Assertion ought to have Truth for its Basis, and that an impartial Public hath a Right to call for his Authority? Many are the Alms-houses in this City, to which little or no Pay is annexed. I will admit it for a Fact, that some individual Member of the Chamber, knowing the Necessities of some aged Pauper in such Circumstances, hath applied to the Corporation for some weekly Relief. Is the Benevolence of a well-disposed compassionate Member to be held out to the Public as a Charge on the whole Body, by Words inducing you to believe, that *they* misapply your Monies in Support of *their* Poor in their Alms-houses?

I now copy the second Paragraph of the same Column.—“ Secondly. Not long after the Election of the Forty Guardians, the Corporation, July 21, 1698, making an Application to the Chamber for the House and Field at the Bottom of Paris-Street, bequeathed by the late Mr. John King, of Exeter, Merchant, for the Use of an Hospital or Workhouse; the Chamber promised to convey the Premises, but (probably in order to detain them) demanded the enormous Sum of 400l. for the Conveyance thereof, altho’ to the Purposes for which the same were bequeathed, whereby the Corporation of the Poor (who could not wait the Event of vexatious Law Suits) were obliged to make Agreement for the Lands whereon our magnificent Workhouse now stands.”

The Act of the 9th and 10th of Wm. III. being obtained, and every Inhabitant congratulating each other on the Prospect of Benefit likely to result from it, the Aldermen proceeded to the Election of Guardians and returned the Names of the Elected at a Court, June 28, 1698.—The Inhabitants in their different Wards, agreeable to the Direction of the Act, out of the *best and discreetest Men* in their Wards, chose the Forty whom they wished Trustees; not actuated by Jealousy of undue Influence from the Chamber, not confined by narrow illiberal Notions, but knowing their own Intentions of selecting Men in whose Honesty and Discretion they could confide, they fixed on two of the Chamber of Exeter at this first Wardmote to be of the elected Body, the Resolutions of the Citizens at large on which the Act was founded were deeply impressed on their Memories, their Intentions were to fix on Honesty and Discretion, where ever found, nor did they imagine, that Members of the Chamber were to be excluded, or that the Act would have admitted that Construction, nor that a Guardian of the Poor, elected by all the Inhabitants of his Ward for his *Honesty and Discretion*, was instantaneously divested of these Requisites when elected into the Chamber, or vice versa.

It is True that the Corporation of the Poor did apply to the Chamber for the House and Field at the Bottom of Paris-Street, but *that they were bequeathed by Mr. King for the Purposes above*, you will permit me to controvert, and I wish it could have been done in less Compass.

John Bury, Canon of St. Peter’s, by his Will, dated June 15, 1667, in Case of a Workhouse being built, within twenty Years, within St. Sidwell’s, for the setting to work and maintaining the Poor of that Parish who should be able to work, did give the Master of the said Workhouse, *as long as the Employment should be continued*, 40l. annual Rents out of his Lands. Canon Bury died in July, 1669, and in the Year 1672, the Chamber and Citizens willing to profit by this Charity did, at their great Cost and Charge, erect a Workhouse in the said Parish, on a Spot of Land granted by the Chamber for the Use mentioned in the Canon’s Will.

The Workhouse being erected, the Chamber did likewise furnish the same with Utensils of Household Stuff, working Tools and other Materials.—In the Year 1690, they appointed one Thomas Smith, Woollen-Draper, their last Master, and gave him a Lease of twenty-one Years in the Premises and Furniture, and covenanted as far as in them was, that he should enjoy Canon Bury’s Charity, he complying with the Intention of the Donor.—And the Chamber likewise purchased a Close of Land for three Lives in the year 1693, and annexed it to the same.

Thus

Thus far I think it is plainly proved that the House and Land were not bequeathed by Mr. King, or any other, for the Use of a Workhouse.—At the first Court after the Election of Guardians, a Committee was appointed to discourse with Smith, and another to view this old Workhouse, and in the succeeding Court a third Committee to treat with the Chamber.—They report that Smith said, *when he was paid, or secured the Money due to him for his Salary, he would surrender the said Workhouse in convenient Time.*

The Committee to treat with Chamber report, that they were willing to invest the Workhouse with the Appurtenances in the Corporation for ever, paying the Arrears due by Dr. Bury (Son of the Canon) to Smith for his Salary, they giving them Power to recover the same from Dr. Bury, and the Corporation paying the Cost of the (present) Act of Parliament.

Smith had likewise agreed with the Chamber on the 5th of July for a Surrender of that Part of the old Workhouse, where the Poor were at work, and Necessaries belonging to the same, at Michaelmas next, and of the Dwelling Part at Christmas. And the Chamber had a Right to insert the Condition of Repayment of 130l. which they had advanced for the Cost of the Act, a Circumstance hitherto concealed by the Opponents to the Corporation.

The Corporation having received the two Reports from Smith and the Chamber, and acquiescing with the Conditions, they immediately appoint a Committee to desire a Draught of the Conveyance from Mr. Vaughan, one of the Chamber's Counsel, and to treat with Mr. Heskett or any other Persons, about Lands situate near the said Workhouse for the Use of the Corporation. N. B. A Member of the Chamber was one of this Committee.

The Chamber however voluntarily desisted from the Condition of Repayment, forgave the Sum expended, and substituted a Clause, shewing their hearty Concurrence in promoting this useful Establishment, and their Disposition to contribute to the Ease of the Inhabitants, by valuing the Workhouse, not having been built above 16 Years, with the best Materials, the Field, Appurtenances and Furniture, in 400l. not with an Intention to apply it to the Use of the Chamber, nor with the least Shadow of that Insinuation, a *Probability of demanding that enormous Sum in order to detain it*, but in order that 2600l. only, by Means of this Valuation of 400l. instead of 3000l. should be raised by Taxation on the Inhabitants.

To the Draught of Conveyance the Corporation object, and they think it unreasonable that the Workhouse, Lands, and Buildings which may be erected thereon should be forfeited, in case the 40l. Annuity given by Canon Bury, or any Part thereof, should be suspended, misemployed, or diverted from the Use intended by the Donor.

In answer, Canon Bury gave this Annuity for the Uses in his Will mentioned; if not performed, the Annuity was to cease. The Chamber grant their Land for the like Uses, and if not performed, the Land likewise reverts to the Grantors.

John Tuckfield, Esq; within our Memory, granted a Piece of Land for the erecting an Hospital for the Sick, for ever; but in case it should cease to be an Hospital, then the said Land and Buildings thereon to be resumed into his Hands or his Heirs.

The Corporation say likewise that they ought not to deduct 400l. out of the 3000l. they have power to raise on the Inhabitants, in consideration of this Grant of the Chamber, for that they do not conceive the Things granted to be worth 400l. after the Expiration of twelve Years yet remaining of the Lease granted to Thomas Smith.

But you will observe that Smith had agreed with the Chamber to surrender at a certain fixed Time, at Michaelmas, and had promised the Committee of the Corporation likewise to surrender in convenient Time.

I have perhaps been already too prolix, otherwise should have spoken to the *magnificent Workhouse*, and the Note subjoined, to which there is a Reference.

These Observations are now for your cool Reading and Discussion, if a Dissection of the Remainder of the Historical Refutation of the like component Parts is your Wish, as far as my Abilities extend, it will be complied with.

I have only to lament that the Peace and Harmony of the City have been so long disturbed at the Expence of the aggregate Body of the Payers to the Poor Rates, which we must feel, and also at the Expence of many well-intentioned Citizens individually, who have been deceived by delusive Publications.

An old Citizen.

EXETER, December 20, 1784.

